

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

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|---------------------------------|---|--------------------|
| TEDDY RAY JENKINS, |) | |
| |) | |
| Petitioner, |) | |
| vs. |) | NO. CIV-15-0793-HE |
| |) | |
| ANITA TRAMMELL, <i>et al.</i> , |) | |
| |) | |
| Respondents, |) | |

ORDER

Petitioner Teddy Ray Jenkins (“Jenkins”), a state prisoner appearing *pro se* and proceeding *in forma pauperis*, filed a petition for extraordinary writ due to alleged violations of his constitutional rights.¹ Consistent with 28 U.S.C. § 636(b)(1)(B), this matter was referred for initial proceedings to Magistrate Judge Charles B. Goodwin, who recommends this case be transferred to the United States District Court for the Eastern District of Oklahoma [Doc. No. 23 (“Report and Recommendation”)].

The Report and Recommendation included a notice of petitioner’s right to file an objection by November 19, 2015. Jenkins sought, and was granted, an extension of time to file his objection, which moved the deadline to January 4, 2016. After the deadline passed, Jenkins filed another motion for extension of time to file his objection. The motion, dated January 6, 2016, indicates the delay was caused by a failure to pick up Jenkins’s legal mail on January 4 or January 5, 2016. Doc. No. 31, p. 1. The motion further states that Jenkins

¹Jenkins indicates throughout his various pleadings that he intends to add claims arising under 42 U.S.C. § 1983 and add defendants located within the federal judicial district for the Western District of Oklahoma. To date, however, he has not filed an amended complaint.

requests an extension of time to file an amended complaint which would show additional facts sufficient to show that venue should remain in the Western District of Oklahoma.

These additional facts, which “go back to the 1970s–2016,” are purportedly related to an alleged fraud conspiracy claimed to be taking place in the Western District, which has some connection to Petitioner’s 2002 conviction for burglary and domestic abuse assault and battery in Oklahoma County district court. In addition, Jenkins states that his factual records in support of the additional allegations are being withheld from him and stored in the Oklahoma Department of Corrections headquarters in Oklahoma City.

Petitioner’s complaint and the relief sought are directed to the alleged interference with his possession and mailing of legal papers and his time spent in solitary confinement. The conduct underlying his complaint and the defendants who allegedly participated in this conduct are located in the Eastern District of Oklahoma. Although his motions indicate an intent to compile additional claims and defendants to add to the suit, Jenkins has not filed an amended complaint. Given the nature of the claims he has asserted, it would serve both the convenience of the parties and the interest of justice for case to be transferred to the Eastern District of Oklahoma pursuant to 28 U.S.C. § 1404(a).

Accordingly, the Report and Recommendation [Doc. No. 23] is **ADOPTED** and this case is **TRANSFERRED** to the United States District Court for the Eastern District of Oklahoma.

IT IS SO ORDERED.

Dated this 22nd day of March, 2016.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE